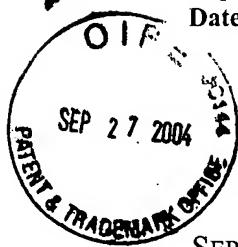


09-29-04

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Express Mail Label No.: EV392127516US
Date of Deposit: September 27, 2004

Attorney Docket No.26069-526B



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Workman, *et al.*
SERIAL NUMBER : 10/712,669 EXAMINER : Not Yet Assigned
FILING DATE : November 12, 2003 ART UNIT : 1641
FOR : NON-INVASIVE MEASUREMENT OF ANALYTES

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 27, 2004
Boston, Massachusetts

**PETITION FOR EXTENSION OF TIME AND SUBMISSION OF THE PROCESSING
AND RETENTION FEE UNDER 37 C.F.R. § 1.78(a)(1)(iv)**

Pursuant to 37 C.F.R. § 1.136(a), applicant hereby petitions for a five-month extension of time to respond to the February 26, 2004 Notice to File Missing Parts in the above-identified application. With the extension, the response is due on Monday, September 27, 2004 (September 26, 2004 being a Sunday). Enclosed is a check (#19386) in the amount of \$1005.00 to cover the cost of the extension due by Applicants.

Applicants also submit herewith the processing and retention fee in accordance with 37 C.F.R. § 1.78(a)(1)(iv). The present application was filed on November 12, 2003 with a specification including a description and claims and is, therefore, entitled to this filing date as set forth in 37 CFR §1.53(b). Enclosed is a check (#19387) in the amount of \$130.00 to cover the cost of the processing and retention fee under 37 C.F.R. §1.21(l).

A continuation application claiming the benefit under 35 U.S.C. §120 is being filed simultaneously.

09/29/2004 KBETEMA1 00000022 10712669

01 FC:8025 130.00 0P

09/29/2004 KBETEMA1 00000023 10712669

01 FC:2255 1005.00 0P

Express Mail Label No.: EV392127516US
Date of Deposit: September 27, 2004

Attorney Docket No.26069-526B

Applicants believe no additional fees are due in connection with this filing. The Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 26069-526B.

Respectfully submitted,

Ivor R. Elifi Reg No 53097
for: Ivor R. Elifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241

Customer No. 30623

TRA 1961887v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Workman, *et al.*
SERIAL NUMBER : 10/712,669 EXAMINER : Not Yet Assigned
FILING DATE : November 12, 2003 ART UNIT : 1641
FOR : NON-INVASIVE MEASUREMENT OF ANALYTES

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

September 27, 2004
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COPY

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Respectfully submitted,

Ivor R. Elvifi Reg No 53097
for: Ivor R. Elvifi, Reg. No. 39,529
Attorney for Applicants
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241

Customer No. 30623

TRA 1961887v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Workman, et al.
 Serial Number : 10/712,669 Examiner : Not Yet Assigned
 Filing Date : November 12, 2003 Art Unit : 1641
 For : Non-Invasive Measurement of Analytes

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1459

September 27, 2004
 Boston, Massachusetts

TRANSMITTAL LETTER

Transmitted herewith for filing in the above-referenced patent application are the following documents:

1. Petition for Extension of Time and Submission of the Processing and Retention Fee Under 37 C.F.R. § 1.78(a)(1)(iv) (2 pages);
2. Check No. 19386 in the amount of \$1,005.00 to cover the Extension Fee;
3. Check No. 19387 in the amount of \$130.00 to cover the Retention Fee;
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 617-542-6000, Boston, Massachusetts.

Although Applicants believe no additional fees are due with this submission, the Commissioner is authorized to charge any fees that may be due or credit any overpayment of same to the undersigned's Deposit Account No. 50-0311, Ref. No. 26069-526B. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Iyor R. Elrifi, Reg. No. 39,529
 Iyor R. Elrifi, Reg. No. 39,529
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 Tel: (617) 542-6000
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